

REMARKS

In the above-mentioned office action, all of the pending claims, claims 1-20, of the patent application were rejected under Section 102(e) over Spencer.

Responsive to the rejection of the claims, claims 1-20 have been canceled, and new claims 21-35 are submitted, as set forth herein. The new claims include independent claims 21 and 35. The new claims have been drafted in manners believed to distinguish the invention of the present application over Spencer.

With respect to method claim 21, the claim recites the operations, inter alia, of selectably providing selected content to a wireless mobile device together with a locking requirement to permit selected content to be operated upon pursuant to the locking requirement. The method further recites the operations of receiving indications of selection of which content is to form the selected content, and presenting the locking requirement that is associated with the selected content until the locking requirement is met.

Spencer does not appear to disclose the operations that are now recited in claim 21. The Examiner relies specifically upon the disclosure of Figures 2A and 2B of Spencer. But, review of these Figures, as well as the other portions of the specification, indicate that Spencer is directed towards providing media content to a playback device such that the media content is provided pursuant to a license. Spencer does not appear to disclose a methodology by which selected content is delivered to a wireless mobile device to be operated upon pursuant to a locking requirement in which the locking requirement is determinative of use of the selected content at the wireless mobile device. To the extent that the Examiner asserts that a license is synonymous to a locking requirement, as recited now in the newly-presented claims, such assertion is traversed.

With respect to the various ones of the dependent claims dependent upon claim 21, For instance, Spencer further appears not to disclose determination of when a locking requirement is met as is recited in new claim 23 or of unlocking the content when the locking requirement is met. Spencer also fails to disclose the dispensing of a reward as recited in claim 26 or of selection of the locking requirement as recited in claim 29. Others of the dependent claims analogously recite further operations that are not disclosed in Spencer.

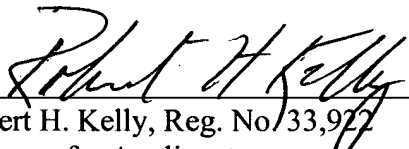
Analogously, Spencer also fails to disclose a content manager of the apparatus recited in new, independent claim 35.

For these reasons, claims 21 and 35, and dependent claims 22-34, are believed to be patentably distinguishable over Spencer. Accordingly, reexamination and reconsideration for allowance of these claims is respectfully requested.

Respectfully submitted,

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